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**22SL-CC03497 - LULABELLE GARRETT V ERIC P SMITH ET AL (E-CASE)**

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- 08/22/2022** ☐ **Family Member/Roommate Served**  
Document ID - 22-SMOS-666; Served To - SMITH, ERIC PAUL; Server - ; Served Date - 10-AUG-22; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served
- ☐ **[Notice of Service](#)**  
Affidavit Of Service of Defendant Eric Paul Smith.  
**Filed By:** BENJAMIN PAUL TOBIN  
**On Behalf Of:** LULABELLE GARRETT
- 08/02/2022** ☐ **[Summ Issd- Circ Pers Serv O/S](#)**  
Document ID: 22-SMOS-667, for STEVE MODE TRUCKING, INC..Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service.
- ☐ **[Summ Issd- Circ Pers Serv O/S](#)**  
Document ID: 22-SMOS-666, for SMITH, ERIC PAUL.Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service.
- 08/01/2022** ☐ **Filing Info Sheet eFiling**  
**Filed By:** BENJAMIN PAUL TOBIN
- ☐ **Note to Clerk eFiling**  
**Filed By:** BENJAMIN PAUL TOBIN
- ☐ **[Pet Filed in Circuit Ct](#)**  
PETITION.  
**Filed By:** BENJAMIN PAUL TOBIN  
**On Behalf Of:** LULABELLE GARRETT
- ☐ **Judge Assigned**  
DIV 17



STATE OF MISSOURI     )  
   ) SS  
 COUNTY OF ST. LOUIS    )

IN THE CIRCUIT COURT  
 STATE OF MISSOURI  
 COUNTY OF ST. LOUIS

LULABELLE GARRETT,

Plaintiff,

vs.

ERIC PAUL SMITH and  
 STEVE MODE TRUCKING, INC.,  
 an Arkansas Corporation,

Defendants.

CAUSE NO. \_\_\_\_\_

DIVISION \_\_\_\_\_

**Please Serve Summons On:**

Eric Paul Smith  
 205 N.E. 16th Street  
 Atkins, AR 72823

Steve Mode Trucking, Inc.  
 c/o Registered Agent  
 Shannon Mode  
 30 Nola Porter Road  
 Quitman, AR 72131

**PETITION**

**COUNT I**

Comes now the Plaintiff, LULABELLE GARRETT, by and through her attorneys, PRATT & TOBIN, P.C., and for Count I of her cause of action against the Defendant, ERIC PAUL SMITH, states as follows:

1. That on or about July 15, 2019, the Plaintiff, LULABELLE GARRETT, was operating her vehicle on Westbound Interstate 255, in the County of St. Louis, State of Missouri.

2. That on or about July 15, 2019, the Defendant, ERIC PAUL SMITH, was operating his vehicle on Westbound Interstate 255, in the County of St. Louis, State of Missouri.

3. That on or about July 15, 2019, the Defendant, ERIC PAUL SMITH, while operating his vehicle on Westbound Interstate 255, in the County of St. Louis, State of Missouri, caused his vehicle to run into the rear of vehicle being driven by the Plaintiff, LULABELLE GARRETT.

4. That as of July 15, 2019, and as of the time of the incident alleged herein, the Defendant, ERIC PAUL SMITH, owed the Plaintiff, LULABELLE GARRETT, a duty of ordinary care in the operation of her vehicle.

5. That the Defendant, ERIC PAUL SMITH, breached her duty of care to the Plaintiff, LULABELLE GARRETT, and was guilty of negligence thereby, in one or more of the following ways:

- a. The Defendant operated his vehicle while distracted; and/or
- b. The Defendant failed to stop in a timely fashion; and/or
- c. The Defendant failed to keep a proper lookout for other vehicles then and there rightfully upon said roadway; and/or
- d. The Defendant drove his vehicle in such a manner as to cause it to strike the Plaintiff's vehicle; and/or
- e. The Defendant rear ended the vehicle Plaintiff was driving; and/or
- f. The Defendant failed to reduce speed to avoid a collision; and/or
- g. The Defendant drove too fast for prevailing traffic conditions; and/or
- h. The Defendant failed to properly apply the brakes of his vehicle.


6. That as a direct and proximate result of the negligence of the Defendant, LULABELLE GARRETT's body was injured, both internally and externally, resulting in disability and disfigurement and which has caused and will cause her in the future to suffer great pain and mental anguish; she has lost and will in the future lose earnings she otherwise would have earned but for this injury; has and will suffer a loss of a normal life; and has been and will in the future be compelled to obligate herself for medical aid and attention; and her future earning capacity has been seriously diminished thereby; All To The Damage of the Plaintiff in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

WHEREFORE, Plaintiff, LULABELLE GARRETT, prays that judgment be entered against the Defendant, ERIC PAUL SMITH, in a sum in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00), and the costs of this action and whatever other remedy this Court deems appropriate.

LULABELLE GARRETT, Plaintiff

PRATT & TOBIN, P.C.

BY:



BENJAMIN P. TOBIN - 63604

150 South Bellwood Drive

P. O. Box 179

East Alton, IL 62024

Telephone: (618) 259-8011

(800) 851-5562

Facsimile: (618) 259-6793

E-mail: lawoffice@prattandtobin.com

E-mail: btobin@prattandtobin.com

**PLAINTIFF DEMANDS**  
**TRIAL BY JURY.**

ATTORNEYS FOR PLAINTIFF

## COUNT II

Comes now the Plaintiff, LULABELLE GARRETT, by and through her attorneys, PRATT & TOBIN, P.C., and for Count II of her cause of action against the Defendant, STEVE MODE TRUCKING, INC., states as follows:

1. That on or about July 15, 2019, the Plaintiff, LULABELLE GARRETT, was operating her vehicle on Westbound Interstate 255, in the County of St. Louis, State of Missouri.

2. That on or about July 15, 2019, the Defendant, STEVE MODE TRUCKING, INC., through its agent, ERIC PAUL SMITH, was operating its vehicle on Westbound Interstate 255, in the County of St. Louis, State of Missouri.

3. That on or about July 15, 2019, the Defendant, STEVE MODE TRUCKING, INC., through its agent, ERIC PAUL SMITH, while operating its vehicle on Westbound Interstate 255, in the County of St. Louis, State of Missouri, caused its vehicle to run into the rear of vehicle being driven by the Plaintiff, LULABELLE GARRETT.

4. That as of July 15, 2019, and as of the time of the incident alleged herein, the Defendant, STEVE MODE TRUCKING, INC., owed the Plaintiff, LULABELLE GARRETT, a duty of ordinary care in the operation of its vehicle.

5. That the Defendant, STEVE MODE TRUCKING, INC., by its agent, ERIC PAUL SMITH, breached its duty of care to the Plaintiff, LULABELLE GARRETT, and was guilty of negligence thereby, in one or more of the following ways:

- a. The Defendant operated his vehicle while distracted; and/or
- b. The Defendant failed to stop in a timely fashion; and/or
- c. The Defendant failed to keep a proper lookout for other vehicles then and there rightfully upon said roadway; and/or
- d. The Defendant drove his vehicle in such a manner as to cause it to strike the Plaintiff's vehicle; and/or
- e. The Defendant rear ended the vehicle Plaintiff was driving; and/or
- f. The Defendant failed to reduce speed to avoid a collision; and/or
- g. The Defendant drove too fast for prevailing traffic conditions; and/or
- h. The Defendant failed to properly apply the brakes of his vehicle.

6. That as a direct and proximate result of the negligence of the Defendant, LULABELLE GARRETT's body was injured, both internally and externally, resulting in disability and disfigurement and which has caused and will cause her in the future to suffer great pain and mental anguish; she has lost and will in the future lose earnings she otherwise would have earned but for this injury; and has been and will in the future be compelled to obligate herself for medical aid and attention; has and will suffer a loss of a normal life; and her future earning capacity has been seriously diminished thereby; all To The Damage of the Plaintiff in a sum in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00).

WHEREFORE, Plaintiff, LULABELLE GARRETT, prays that judgment be entered against the Defendant, STEVE MODE TRUCKING, INC., in a sum in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), and the costs of this action and whatever other remedy this Court deems appropriate.

LULABELLE GARRETT, Plaintiff

PRATT & TOBIN, P.C.

BY:



BENJAMIN P. TOBIN - 63604

150 South Bellwood Drive

P. O. Box 179

East Alton, IL 62024

Telephone: (618) 259-8011

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E-mail: lawoffice@prattandtobin.com

E-mail: btobin@prattandtobin.com

**PLAINTIFF DEMANDS**  
**TRIAL BY JURY.**



ATTORNEYS FOR PLAINTIFF



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: JOSEPH L. WALSH III	Case Number: 22SL-CC03497	(Date File Stamp)
Plaintiff/Petitioner: LULABELLE GARRETT	Plaintiff's/Petitioner's Attorney/Address: BENJAMIN PAUL TOBIN ROUTE 111 AT AIRLINE DR P O BOX 179 EAST ALTON, IL 62024	
Defendant/Respondent: ERIC PAUL SMITH	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105	
Nature of Suit: CC Pers Injury-Vehicular		

**Summons for Personal Service Outside the State of Missouri  
(Except Attachment Action)**

<p>The State of Missouri to: <b>ERIC PAUL SMITH</b> Alias: 205 N.E. 16TH STREET ATKINS, AR 72823</p> <p><b>COURT SEAL OF</b>  <b>ST. LOUIS COUNTY</b></p>	<p>You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.</p> <p><b>SPECIAL NEEDS:</b> If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.</p> <p><u>02-AUG-2022</u> Date Further Information: JS</p>	<p> Clerk</p>
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## Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
  - My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
  - I have served the above summons by: (check one)
    - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
    - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.
    - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
    - ☐ other (describe) \_\_\_\_\_.
- Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title



**Service Fees, if applicable**

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
**Total** \$ \_\_\_\_\_

See the following page for directions to clerk and to officer making return on service of summons.

### Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion and/or petition must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion and/or petition when offered to him, the return shall be prepared to show the offer of the officer to deliver the summons and motion and/or petition and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the individual personally or by leaving a copy of the summons and motion and/or petition at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and motion and/or petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion and/or petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. On a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri Court within 30 days after service.

## THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

### NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

#### **Purpose of Notice**

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

#### **Your Rights and Obligations in Court Are Not Affected By This Notice**

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

#### **Alternative Dispute Resolution Procedures**

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

**(1) Advisory Arbitration:** A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

**(2) Mediation:** A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

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**(3) Early Neutral Evaluation (“ENE”):** A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

**(4) Mini-Trial:** A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

**(5) Summary Jury Trial:** A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

### **Selecting an Alternative Dispute Resolution Procedure and a Neutral**

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

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## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: JOSEPH L. WALSH III	Case Number: 22SL-CC03497	(Date File Stamp)
Plaintiff/Petitioner: LULABELLE GARRETT	Plaintiff's/Petitioner's Attorney/Address: BENJAMIN PAUL TOBIN ROUTE 111 AT AIRLINE DR P O BOX 179 EAST ALTON, IL 62024	
Defendant/Respondent: ERIC PAUL SMITH	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105	
Nature of Suit: CC Pers Injury-Vehicular		

**Summons for Personal Service Outside the State of Missouri  
(Except Attachment Action)**

<p>The State of Missouri to: STEVE MODE TRUCKING, INC. Alias: REGISTERED AGENTT SHANNON MODE 30 NOLA PORTER ROAD QUITMAN, AR 72131</p> <p><b>COURT SEAL OF</b>  <b>ST. LOUIS COUNTY</b></p>	<p>You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.</p> <p><b>SPECIAL NEEDS:</b> If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.</p> <p><u>02-AUG-2022</u> Date Further Information: JS</p>	<p> Clerk</p>
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- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
  - My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
  - I have served the above summons by: (check one)
    - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
    - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_, a person at least 18 years of age residing therein.
    - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
    - ☐ other (describe) \_\_\_\_\_.
- Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

**Service Fees, if applicable**

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
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Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the individual personally or by leaving a copy of the summons and motion and/or petition at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and motion and/or petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion and/or petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. On a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

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**(5) Summary Jury Trial:** A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

### **Selecting an Alternative Dispute Resolution Procedure and a Neutral**

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

CCADM73

SHERIFF SHANE JONES  
POPE COUNTY SHERIFFS OFFICE  
3 EMERGENCY LANE  
RUSSELLVILLE, AR. 72802-

Type Of Civil Paper: **SUMMONS**Case Number: **22SL-CC03497**Date Of Origin: **Monday, August 8, 2022**Date Received: **Monday, August 8, 2022**Person To Serve: **SMITH, ERIC PAUL**Sheriffs #: **2560671**Address: **205 NE 16TH STREET**

Court Date:

City/State/Zip: **AKTINS, AR. 72823-**Date Of Entry: **Monday, August 8, 2022**

Home Phone:

Cell Phone:

Deputy Assigned:

Deputy Assigned:

Deputy Assigned:

Date: 8-10-22Served: ☒Un-Served: ☐Time: 2:15pmPlace: 205 NE 16<sup>TH</sup> STUpon Who Served: **SMITH, ERIC PAUL**

Comments: \_\_\_\_\_

Comments: \_\_\_\_\_

Comments: \_\_\_\_\_

Comments: \_\_\_\_\_

Comments: \_\_\_\_\_

Deputy: Michael Stewen P-35Date: 8-10-22

AUG 19 2022





## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: JOSEPH L. WALSH III	Case Number: 22SL-CC03497
Plaintiff/Petitioner: LULABELLE GARRETT	Plaintiff's/Petitioner's Attorney/Address: BENJAMIN PAUL TOBIN ROUTE 111 AT AIRLINE DR P O BOX 179 EAST ALTON, IL 62024
Defendant/Respondent: ERIC PAUL SMITH	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Vehicular	

(Date File Stamp)

### Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: ERIC PAUL SMITH

Alias:

205 N.E. 16TH STREET  
ATKINS, AR 72823

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

02-AUG-2022

Date

Further Information:

JS

Clerk

### Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
- I have served the above summons by: (check one)
  - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
  - ☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with Linda Smith (wife), a person at least 18 years of age residing therein.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other (describe) \_\_\_\_\_

Served at 205 NE 16TH ST ATKINS (address)  
in Atkins County, AR (state), on 8/10/22 (date) at 2:15pm (time).  
Michael Stevens Printed Name of Sheriff or Server Michael Stevens P35 Signature of Sheriff or Server

Subscribed and Sworn To me before this 10 (day) August (month) 2022 (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

**Service Fees, if applicable**

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to clerk and to officer making return on service of summons.

### Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion and/or petition must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion and/or petition when offered to him, the return shall be prepared to show the offer of the officer to deliver the summons and motion and/or petition and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the individual personally or by leaving a copy of the summons and motion and/or petition at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and motion and/or petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion and/or petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion and/or petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. On a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri Court within 30 days after service.